

Code of Regulations; or

- (e) Lands containing habitats with Narrow Endemic Species as listed in the Biology Guidelines in the Land Development manual.
- (f) Lands containing habitats of covered species as listed in the Biology Guidelines in the Land Development Manual

**EDITORS NOTE: The Land Development Manual includes:**

Coastal Bluffs and Beaches Guidelines  
Biology Guidelines  
Historical Resources Guidelines  
Submittal Requirements for Deviations within the Coastal Overlay Zone

See RR-292248 for the Coastal Bluffs and Beaches Guidelines of the Land Development Code; RR-292249 for the Biology Guidelines of the Land Development Code; RR-292250 for the Historical Resources Guidelines of the Land Development Code; RR-292251 for the Submittal Requirements for Deviations within the Coastal Overlay Zone of the Land Development Code.

*Sensitive coastal bluff* means a *coastal bluff* that is designated within hazard category numbers 41 through 47, inclusive, on the City's Geologic Hazard Maps plus the area of an additional 100-foot strip located landward and contiguous to the *coastal bluff edge*.

*Setback* means a required distance inward from and perpendicular to a *property line* at or behind which all *structures* must be located unless otherwise specified. See Section 113.0252 for additional information on measuring *setbacks*.

*Setback line* means a continuous line located at the *setback* running parallel to the closest *property line*. See Section 113.0249 for additional information on determining *setback line*.

*Sex offender* means any individual who has been charged by criminal indictment or complaint or convicted of a sex-related offense outside the *family* unit as defined by the California Penal Code, Part 1, Title 9, Chapter 1, or in Sections 286, 286.5, 288, 288a, 289 of Chapter 5, or in Section 314 of Chapter 8, or any amendment or recodification of any such sections.

*Sex offender treatment and counseling facility* means a medical treatment or counseling facility that physically or psychologically treats five or more *sex offenders*

within 1 calendar year.

*Shared parking* means the sharing, under legal agreement, of an off-street parking facility or facilities by two or more uses.

*Side street* means a *street* abutting a corner *lot* that is approximately parallel to the line along which lot depth is measured as described in Section 113.0243.

*Sign* means any identification, description, illustration, or device, illuminated or nonilluminated, that is visible from the public *right-of-way* or is located on private property and exposed to the public and which directs attention to a product, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise with the exception of window displays, and any emblem, painting, banner, pennant, placard, or temporary *sign* designed to advertise, identify, or convey information.

*Sign, advertising display* (See *advertising display sign*)

*Sign, changeable copy* (See *changeable copy sign*)

*Sign copy* means the words, symbols, or emblems on a *sign* surface, whether in permanent or removable form.

*Sign copy area* means the area of the smallest geometric figure that can enclose the words, symbols, or emblems of a *wall sign*. For internally illuminated *wall signs*, the entire illuminated *sign face* is the *sign copy area*. See Section 113.0255 for additional information on how to calculate *sign copy area*.

*Sign, externally illuminated* (See *externally illuminated sign*)

*Sign face* means the entire area of a *sign* on which *sign copy* could be placed for *roof signs*, *ground signs*, *projecting signs*, and *advertising display signs*. See Section 113.0258 for additional information on how to calculate *sign face*.

*Sign, ground* (See *ground sign*)

*Sign, internally illuminated* (See *internally illuminated sign*)

*Sign, projecting* (See *projecting sign*)

*Sign, roof* (See *roof sign*)

*Sign, wall* (See *wall sign*)

*Single dwelling unit* means a detached *dwelling unit* or attached *dwelling units* where each dwelling unit is on an individual *lot*.

*Social service institution* means an organization engaged in activities that promote social welfare, including philanthropic assistance to the sick, needy, or unfortunate. This term does not include residential care facilities, provisions for on-site residence or confinement, adult day care, alcohol recovery facilities, and parolee rehabilitation services.

*Solid fence* means a *fence* that provides a solid screen.

*Special Flood Hazard* means any area inundated during a *base flood* as shown on the Federal Insurance Rate Map as Zone A, AO, A1-30, AE, A99, AH, VO, V1-30, VE, V, M, or E (also referred to as the 100-year *floodplain*).

*Specified anatomical areas* means and includes less than completely and opaquely covered human genitals, pubic region, buttocks, anus, female breasts below a point immediately above the top of the areolae, or human male genitals in a discernible turgid state, even if completely and opaquely covered.

*Specified sexual activities* means and includes the fondling or other touching of human genitals, pubic region, buttocks, anus, or female breasts; sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; masturbation, actual or simulated; or excretory functions as part of or in connection with any of the activities set forth above.

*SRO (single room occupancy) hotel* means a *hotel* of which at least 20 percent of the guest rooms are *SRO hotel rooms*. An *SRO hotel* does not include any institution in which persons are housed or detained under legal restraint or hospitalized or otherwise under medical, nursing or psychiatric care.

*SRO hotel room* means a guest room in an SRO hotel that is at least 70 square feet but not more than 220 square feet which may have private or shared sanitary facilities but does not contain a *kitchen*.

*Stabilization* means the act, process, or result of applying measures designed to reestablish a weather-resistant enclosure or the structural stability of an unsafe or deteriorated property while maintaining the property's basic existing form.

*Steep hillsides* means all lands that have a slope with a natural gradient of 25 percent

(4 feet of horizontal distance for every 1 foot of vertical distance) or greater and a minimum elevation differential of 50 feet, or a natural gradient of 200 percent (1 foot of horizontal distance for every 2 feet of vertical distance) or greater and a minimum elevation differential of 10 feet.

*Story* means the area between *grade* and finished *floor*, the area between finish-*floor* elevations or the area between the finish-*floor* elevation and the roof elevation. See Section 113.0261 for additional information on measuring *story*.

*Street* means that portion of the *public right-of-way* that is dedicated or condemned for use as a public road and includes highways, boulevards, avenues, places, drives, courts, lanes, or other thoroughfares dedicated to public travel, but does not include *alleys*.

*Street frontage* means the length of one *premises' property line* along the *street* it borders.

*Street, side* (See *side street*)

*Street wall* means all contiguous walls of a building whose overall limits make up the *building facade*. See Section 113.0264 for additional information on determining the *street wall*.

*Street wall line* means the *street wall* and a line extending outward from the outermost points of the *street wall* parallel to the *street* until the extensions of the lines intersect the side or rear *property lines* or encircle the building. See Section 113.0267 for additional information on determining *street wall line*.

*Street yard* means the area of a *lot* or *premises* that lies between the edge of the nearest *public right-of-way* and the *street wall line*.

*Structural envelope* means the three-dimensional space enclosed by the exterior surfaces of a building or *structure*.

*Structure* means an edifice or building of any kind or any construction built up or composed of parts joined together in some definite manner including a wall, *fence*, pier, post, *sign*, or shelter.

*Structure height* means the vertical distance between all points on top of a *structure* or any of its appurtenances and *grade* directly below. See Section 113.0270 for additional information on measuring *structure height*.

*Subdivider* has the same meaning as stated in the *Subdivision Map Act*, Section 66423.

*Subdivision* has the same meaning as stated in the *Subdivision Map Act*, Section 66424.

*Subdivision map* means any map that is filed for the purpose of subdividing property as defined by the *Subdivision Map Act*. It may be a final map or a *parcel map*.

*Subdivision Map Act* means the provisions found in California Government Code Section 66410, et seq.

*Substantial conformance* means that a revision to a *development* that was approved through a permit or *tentative map* complies with the objectives, standards, guidelines, and conditions for that permit or *tentative map*.

*Substantial improvement*, for the purposes of Section 143.0146 means any reconstruction, rehabilitation, addition, or other proposed new development of a structure, the cost of which, equals or exceeds 50 percent of the *market value* of the structure before the start of construction of the improvement.

*Surface mining* means all, or any part, of the process involved in the mining of minerals on mined lands by removing *overburden* and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. *Surface mining* operations include but are not limited to:

- (a) In-place distillation or retorting or leaching.
- (b) The production and disposal of *mining waste*.
- (c) Prospecting and exploratory activities.

[Editors Note: This definition only applies outside of the Coastal Overlay Zone. For the definition of surface mining within the Coastal Overlay Zone, refer to Land Development Code Section 113.0103, added by City Council on December 9, 1997 by O-18451.]

*Temporary event* means an activity or use of limited duration that involves the placement of non-permanent structures and/or involves exclusive use of sandy beach, parkland, filled tidelands, water, streets or parking area which is otherwise open and available for general public use. For purposes of this definition, limited duration

means a period of time which does not exceed a two week period on a continual basis, or does not exceed a consecutive four month period on an intermittent basis.

*Tentative map* has the same meaning as stated in the *Subdivision Map Act*, Section 66424.5.

*Traditional cultural property* means a locale which has been, and may continue to be, of religious, mythological, economic, or social importance to an identifiable ethnic group. This includes sacred areas where religious ceremonies were or are practiced or that are central to a group's origins as a people (such as a mountain, river, or cave). Also included are areas where plants or other materials were or are gathered for food, medicine, or other economic purposes.

*Transit area* means (1) the area within a one-quarter-mile radius of either public *streets* as having the location, mix of densities, mix of uses, and *development* patterns that can generate sufficient bus ridership to support a frequent and consistent level of bus service (as typified by a 10 to 15-minute frequency of service); or, (2) existing and proposed trolley stops and major bus transfer centers that have been approved for *development* by the Metropolitan Transit Development Board (MTDB) with identified, available funding, as identified in Map No. C-900 on file in the office of the City Clerk as Document No. OO-18911-2.

*Unaccepted offer of dedication* means real property or an interest in real property offered to, but not accepted by, the City for public use and on which the City retains the right to accept the offer of *dedication* at a later date.

*Uncontrolled fill* means any *fill* on which no soil testing was performed or no compaction reports or other soils reports were prepared or submitted during or after placement.

*Underfloor* means the usable or unusable space under the lowest usable finished *floor* of a *structure* on a sloping *lot*.

*Underground parking structure* means a parking *structure* constructed so that no more than 2 feet, 6 inches of the height of the uppermost *story* or roof is above *grade*.

*Vehicular use area* means the area of a *premises* used for parking and vehicular traffic for all types of vehicles excluding covered parking *structures* or underground parking areas.

*Very low income* means any household whose income does not exceed 50 percent of median income as adjusted for household size as defined by the U.S. Department of

Housing and Urban Development for the San Diego Standard Metropolitan Statistical Area.

*Visibility area* means the area necessary to allow adequate sight distance for safe vehicle and pedestrian movement at intersections involving a *public right-of-way*. See Section 113.0273 for additional information on measuring *visibility areas*.

*Wall, retaining* (See *retaining wall*)

*Wall sign* means a *sign* attached to, or a *sign copy area* on, a *structure* or adjunct of a *structure*, including an equipment *screen* or *dormer* that completely *screens* the mechanical equipment of the *structure*, and has its exposed *sign face* parallel or approximately parallel to the plane of the *structure* to which the *sign* is attached.

*Wetland buffer* means an area or feature(s) that protects the functions and values of the adjacent *wetland*.

*Wetlands* are defined as areas which are characterized by any of the following conditions:

1. All areas persistently or periodically containing naturally occurring *wetland* vegetation communities characteristically dominated by hydrophytic vegetation, including but not limited to salt marsh, brackish marsh, freshwater marsh, riparian forest, oak riparian forest, riparian woodlands, riparian scrub, and vernal pools;
2. Areas that have hydric soils or *wetland* hydrology and lack naturally occurring *wetland* vegetation communities because human activities have removed the historic *wetland* vegetation or catastrophic or recurring natural events or processes have acted to preclude the establishment of *wetland* vegetation as in the case of salt pannes and mudflats;
3. Areas lacking *wetland* vegetation communities, hydric soils and *wetland* hydrology due to non-permitted filling of previously existing *wetlands*;
4. Areas mapped as *wetlands* on Map No. C-713 as shown in Chapter 13, Article 2, Division 6 (Sensitive Coastal Overlay Zone).

It is intended for this definition to differentiate for the purposes of delineating *wetlands*, between naturally occurring *wetlands* and *wetlands* intentionally created by human actions, from areas with *wetlands* characteristics unintentionally resulting from human activities in historically non-wetland areas. With the exception of

*wetlands* created for the purpose of providing *wetland* habitat or resulting from human actions to create open waters or from the alteration of natural stream courses, areas demonstrating *wetland* characteristics, which are artificially created are not considered *wetlands* by this definition. Taking into account regional precipitation cycles, all adopted scientific, regulator, and technological information available from the State and Federal resource agencies shall be used for guidance on the identification of hydrophytic vegetation, hydric soils and *wetland* hydrology.

*Yard* means an open area that lies between the *setback line* and the nearest parallel *property line* within which no *structures* may be located, unless otherwise specified. See Section 113.0276 for additional information on determining *yards*.  
(Amended 1-9-2001 by O-18910 N.S.; effective 8-8-2001.)